

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

TOXIC SUBSTANCES CONTROL ACT SUBPOENA
(Subpoena Duces Tecum)

TO: Georges Jean-Louis

G&G Auto
44 Albe Drive
Newark, Delaware 19702

153 Piano Drive
Harmony Woods
Newark, Delaware 19713

14 Foxton Drive
Newark, Delaware 19702

36 Golf View Drive, Apt C4
Newark, Delaware 19702-1762

TSCA SUBPOENA NO. 476

This is a subpoena issued under the authority of Section 11(c) of the Toxic Substances Control Act ("TSCA" or "the Act"), 15 U.S.C. § 2610(c). You are hereby required to provide the information requested below to the United States Environmental Protection Agency--Region III ("EPA") within ten (10) calendar days after you receive this Subpoena.

TSCA authorizes the EPA to regulate unreasonable risks to human health and the environment arising from the manufacture, processing, distribution in commerce, use, or disposal of chemical substances or mixtures. In carrying out its obligations under TSCA, the EPA is authorized under Section 11(c) of the Act to require by subpoena the attendance and testimony of witnesses, the production of reports, papers and documents, answers to questions, and such other information as the EPA deems necessary. Pursuant to the authority of Section 11(c) of TSCA, failure or refusal to comply with this Subpoena may result in initiation of court proceedings in a United States district court against the recipient of the subpoena to compel compliance with the subpoena. Any failure to obey such order of the court may be punished by such court as contempt thereof.

Pursuant to Section 16 of TSCA, 15 U.S.C. § 2615, and the Adjustment of Civil Monetary Penalties for Inflation, 40 C.F.R. Part 19, EPA is authorized to seek civil penalties of up to \$37,500 per day of violation of any of the provisions of TSCA, or, in the case of knowing or willful violations, criminal fines of up to \$37,500 per day of violation and/or imprisonment up to one year. In addition, the Criminal Fines Enforcement Act of 1984, P.L. 98-596, provides for the imposition of fines greater than the amount specified in TSCA under certain circumstances.

REF#42589

The issuance of this document does not preclude the issuance of additional subpoenas relating to this matter to you or to any other person.

You are required to sign your responses and attest under oath that your responses are true, accurate, and complete. An Affidavit for your completion and signature accompanies this Subpoena. Your response shall be sent to EPA representative Kelly Bunker, at the address provided on page 5, below, unless it contains confidential business information.

Pursuant to the regulations appearing at 40 C.F.R. Part 2, subpart B, you are entitled to assert a business confidentiality claim covering any part of the submitted information. Any such claim for confidentiality must conform to the requirements set forth in 40 C.F.R. §§ 2.203(b) and 2.306. Unless such a confidentiality claim is asserted at the time you submit the required information, the EPA may disclose this information to the public without further notice to you. Information subject to a business confidentiality claim may be disclosed to the public only to the extent set forth in the above-cited regulations.

If any portion of your response(s) to this subpoena contains information that you claim as business confidential, you should submit that portion of the response in accordance with the following procedures. The material itself should be marked to indicate that it is claimed confidential. It should be placed in an envelope addressed to Kyle Chelius and marked "Confidential Business Information - To be Opened By Addressee Only." The envelope should then be placed in a second, "outer" envelope addressed to:

Kyle Chelius
Document Control Officer (3LC61)
Land and Chemicals Division
U.S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

The package containing the confidential business information portion of your response should then be mailed, by registered mail, to Mr. Chelius, EPA Document Control Officer.

DEFINITIONS

As used herein the terms listed below have the meanings indicated.

"Document" means the original or an identical and readable copy thereof, and all nonidentical copies (whether different from the original by reason of notations made on such copies or otherwise), regardless of origin location, of any writings or records of any type or description, however created, produced or reproduced, including but not limited to any final contracts, contingency contracts, riders, agreements, papers, books, records, letters, photographs, correspondence, communications, telegrams, cables, telex messages, memoranda, notes, notations, work papers, transcripts, minutes, reports and recordings of telephone or other conversations, or of interviews, conferences, or other meetings, affidavits, statements, summaries, opinions, reports, studies, analyses, evaluations, jottings, agendas, bulletins, notices, announcements, advertisements, instructions, charts, manuals, blueprints, brochures, publications, schedules, price lists, client lists, journals,

statistical records, desk calendars, appointment books, diaries, lists, tabulations, sound recordings, computer printouts, data processing program libraries, data processing input and output, microfilm, books of accounts, records and invoices reflecting business operations, all records kept by electronic, photographic or mechanical means, any notes or drafts related to the foregoing, and all things similar to any of the foregoing, however denominated.

"PCBs" means Polychlorinated Biphenyls as defined at 40 C.F.R. § 761.3.

"Heritage-Crystal Clean" means Heritage-Crystal Clean, Inc. a used oil collection and recycling company which collected used oil from 44 Albe Drive in Bear, Delaware on or about October 15, 2013.

"G&G Auto" means the business which you were operating at 44 Albe Drive in Bear, Delaware during 2013.

INFORMATION REQUIRED TO BE SUBMITTED TO EPA

You are required to answer the following questions and provide copies of all documents that pertain to each question or the information you provide. In responding to this subpoena, you must base your responses on information in your possession or control, or reasonably available to you. If you cannot fully answer or fully provide the information requested in any specific question below, answer as much of the question as you possibly can with the resources available to you, by providing all information in your possession, under your control, or reasonably available to you. If any information necessary for a complete response is not in your possession, under your control, or reasonably available to you, indicate this fact in your response and identify every person and source that either possesses or is likely to possess such information.

Questions 1 through 15, below, pertain to the tank of used oil and five (5) drums of liquid located at G&G Auto which were offered to Heritage-Crystal Clean to haul away for disposal or recycling on or about October 15, 2013.

1. State the name, address and telephone number of the person from whom you picked up the drums of oil that you subsequently offered to Heritage-Crystal Clean for disposal or recycling on or about October 15, 2013.
2. What is the address of the location from which the drums were picked up and transported to G&G Auto?
3. Did you pick up and transport the drums to G&G Auto personally? If not, state the name, address and telephone number of the person who did pick up and transport the drums to G&G Auto. If you picked up the drums, how did you transport the drums to G&G Auto? Did you use your personal or business vehicle or did you rent a vehicle to transport the drums to G&G Auto?

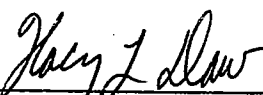
4. What did the person from whom you received the drums ask you to do with the drums? Please be specific. Was it a verbal or written request?
5. Were there actually 5 drums? If not, how many drums did you pick up or were delivered to G&G Auto?
6. On what date did you or another person pick up those drums? If you don't know the exact date, provide the month and year when you picked them up and state whether it was on a week day or weekend.
7. Did the person from whom you obtained the drums identify the source of the oil and type of equipment from which he obtained it?
8. Did the person from whom you obtained the drums state how that person obtained the liquid contained in each drum?
9. Who removed the liquid from each of those drums and where was the liquid placed?
10. After the liquid was removed from each of the five drums, was any other liquid or solid placed in any of those drums? After the oil was removed from each of the five drums, did you or anyone else rinse any of those drums? If so, what was added to each drum and why was that substance added? Who added the substance to each drum or rinsed it? When did that person add the substance or rinse the drum?
11. Describe what happened to each and every drum obtained from the person who provided the drums referred to above after the liquid was removed from it. Where is each drum located now?
12. Were the drums that were sampled by the EPA inspectors on or after December 13, 2013 the same drums from which Heritage-Crystal Clean obtained the liquid it hauled away on or about October 15, 2013?
13. Prior to October 15, 2013, did anyone tell you or did you receive any notification from anyone informing you that the liquids in the five drums obtained from Franco Fregapane or any other person contained PCBs, polychlorinated biphenyls, or transformer fluid? If so, identify how and when you became aware of what type of liquid was in the drums. Did anyone tell you that the liquid in those drums would not be accepted by a used oil recycling company?
14. Have there been other times when you accepted oil from the person who provided the drums referred to above or from any other person?
15. How much were you paid to pick up or receive the oil? Provide any documents or receipts of such payment.
16. When was oil removed from the storage tank located at G&G Auto prior to October 15, 2013 and who removed the oil prior to that date?

17. On or about October 15, 2013, did Heritage-Crystal Clean also pump liquids out of the storage tank located at G&G Auto? If so, approximately how much oil was in the storage tank at 44 Albe Drive just before it was pumped out by Heritage-Crystal Clean on or about October 15, 2013?
18. Identify all sources of liquid that you added to the storage tank between October 15, 2013 and the date when it was previously pumped out.
19. Provide the name and address of every person who may have added oil to the storage tank between October 15, 2013 and the date when it was previously pumped out.

If you have any questions regarding this subpoena, please contact Mr. John Ruggero, Senior Assistant Regional Counsel, at (215) 814-2142. If any portion of your answer to this Subpoena is not confidential business information, that portion should be submitted by first class mail, or any equally reliable means, to Ms. Kelly Bunker at the following address:

Kelly Bunker
Environmental Scientist (3LC61)
Land and Chemicals Division
U.S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Issued in Philadelphia, PA this 4th ^{February} day of ~~January~~, 2014.



Harry Daw, Associate Director
Office of Toxics and Pesticides
Land and Chemicals Division

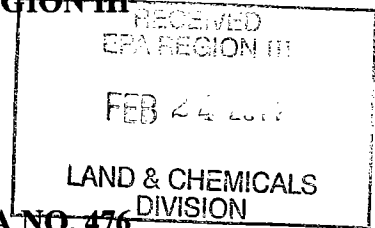
REF # 142589

BEFORE THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY-REGION III

IN THE MATTER OF:

Georges Jean-Louis

AFFIDAVIT RESPONDING TO TSCA SUBPOENA NO. 476



I, the undersigned affiant, first being duly sworn, upon an oath, depose and say:

1. Attached hereto are _____ pages of narrative written responses and photocopies of documents and/or records requested by EPA which are produced along with this affidavit in response to TSCA Subpoena No. 476.
2. I have made a diligent search and inquiry for all information, documents and records which are reasonably described in TSCA Subpoena No. 476. I have not found or located, and I have not been told about, and I have no knowledge of, any documents or records coming within the descriptions set forth in the said TSCA Subpoena No. 476 which have not been copied and submitted with, or otherwise identified with particularity within, the response to TSCA Subpoena No. 476 that accompanies this affidavit.
3. I hereby certify, under penalty of law, that I have personally examined and am familiar with the information and all attached documents and records submitted in response to TSCA Subpoena No. 476 and that, based upon my personal knowledge and upon my inquiry of any other individual(s) immediately responsible for obtaining such information, documents and/or records, I believe that such information is true, accurate and complete.
4. I acknowledge that this affidavit is submitted to the United States in connection with a matter within the jurisdiction of EPA and that any material false statement of fact herein may be a federal crime under 18 United States Code Section 1001.

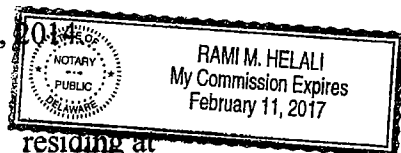
Sign: Georges Jean-Louis Date: 2/21/2014
Print name: GEORGES JEAN-LOUIS Official Title: OWNER
Address: 44 ALBE DRIVE NEWARK DE 19702

SWORN AND SUBSCRIBED TO before me, the undersigned Notary Public, on this

21st day of Feb

Rami M. Helali
Notary Public in and for the State of

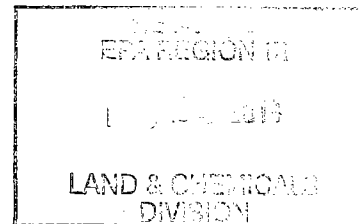
DE



residing at _____

From
Georges Jean-Louis
G & G Auto Repair
44 Albe Dr
Newark, DE 19720

To the office of
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 ARCH STREET
PHILADELPHIA PA 197103



ANSWERS TO TSCA SUBPOENA NO.476

1. From FNJ Enterprise LLC
Frank Fregapane
St Georges
Bear De 19701 (Back of Memorial Place)
Tel: 302-836 2835
2. St. Georges
Bear DE 19701
3. Yes, I did pick up personally. I did use my vehicle
4. Remember that FNJ Enterprises is a recycle yard, every winter I look forward to buying waste gas and diesel. He offered me (Mr. Fregapane) the 5 drums of gas and diesel mix for my heater to heat the shop. After he moved he could not keep too many containers according to his landlord
5. Five Drums
6. Date was 10/10/13
7. The conversation was based on gas, diesel and waste oil
8. He said, 'From those junk cars'
9. Heritage crystal clean pump 2 and a half drums after the driver spent hours to test and sample. I placed the remainder to the waste tank
10. After the 5 drums were pumped out, only heritage crystal clean team returned to ask for them three times to test and sample.
11. Same location.
12. According to crystal clean, two drums and a half was good and pumped out at the same location
13. Any notification whatsoever
14. Not to my knowledge
15. I am victim of Mr. Franco Fregapane because he lied to me that it was gas, diesel and waste oil.
16. Heritage Crystal clean remove oil from storage tank about 2 or 3 months prior to 10/15/13
17. On 10/15/13 Heritage Crystal Clean tested sample and pumped about 40 to 50 gallons out of the storage tank according to driver
18. Motor oil from oil changes and pumped out by Heritage Crystal clean on 10/15/13
19. I do not have any control of the storage tank. I do not own the storage tank. This is an Industrial and open yard with no key.

Thank you.

A handwritten signature in cursive script, appearing to read "Georges Jean-Louis".